

Applic. No. 10/613,198
Art Unit: 1762

REMARKS

This amendment is responsive to the Final Rejection dated February 16, 2005.

Claims 1-13 were pending in the application.

Claim 13 was indicated as allowed.

Claims 2, 4, 5, and 7-9 were objected to as being dependent on a rejected base claim, but otherwise indicated as allowable if rewritten in independent form.

Claims 1, 3, 6, and 10-12 were finally rejected.

By way of this amendment, the Applicant has canceled claims 1-12, and rewritten the subject matter of claims 2, 4, 5, and 7-9 as new claims 14-19.

Accordingly, upon entry of the present amendment, claims 13-19 will remain as pending in the application.

Claims 13-19 should now be in condition for allowance and the application ready for issue.

Rejection of Claims 1, 3, 6, and 10-12 Under 35 U.S.C. §103(a)

Claims 1, 3, 6, 10, 11 and 12 are rejected under 35 USC §103(a) as being unpatentable over Nakayama et al (USP 5942329) in view of DeClerq et al (USP 5672392).

Claims 1-12 have been canceled in the present application. Accordingly, the rejection is no longer believed to be applicable. Withdrawal of the rejection is respectfully solicited.

The cancellation of claims 1, 3, 6, 10, 11 and 12 is not intended to represent a surrender of the claimed subject matter. Claims 1, 3, 6, 10, 11 and 12 were canceled in the present application to expedite issuance of allowance subject matter. The subject matter of rejected claims 1, 3, 6, 10, 11 and 12 will be presented again in a new continuation application for further consideration and argument.

Allowable Subject Matter:

Claim 13 was allowed.

Claims 2, 4, 5, and 7-9 were objected to as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form including all of the limitations of the rejected base claim and any intervening claims.

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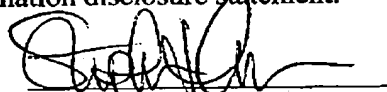
Claims 2, 4, 5, and 7-9 have been rewritten as new claims 14-19. Consideration and allowance of claims 14-19 is respectfully solicited.

Submission of Prior Art under 1.97(d)

Applicant submits herewith for consideration European Patent Application No. 0 485 240 A1. The '240 reference is listed on an attached PTO Form 1449 and is submitted in accordance with 37 CFR 1.97(d). The requisite fees under 37 CFR 1.17(p) and statement under 37 CFR 1.97(e) are also enclosed.

Statement under 1.97(e)

Each item of information contained in the attached information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

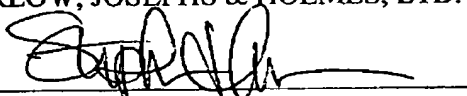

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Conclusion

Accordingly, claims 13-19 are believed to be in condition for allowance and the application ready for issue.

The Commissioner is hereby authorized to charge any additional fee required in connection with the filing of this paper or credit any overpayment to Deposit Account 02-0900.

Respectfully submitted,
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